

Notice of Allowability	Application No.	Applicant(s)	
	09/923,707	SLUPE, JAMES PHILLIP	
	Examiner	Art Unit	
	Md S. Elahee	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/14/2007.
2. ☒ The allowed claim(s) is/are 1-6, 8-18, 20-23, 25, 27, 30 and 31 (rearranged claims are 1-25).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Jonathan M. Harris on 12/03/07.

Claim 1

Line 7, after "coordinates" add --and frequencies--.

Line 8, "identifiers" was changed to --identities--.

Line 10, before "same" delete --the--.

Claim 13

Line 4, after "coordinates" add --and frequencies--.

Line 5, "identifiers" was changed to --identities--.

Line 6, "identifiers" was changed to --identities--.

Line 9, "the signal" was changed to --a signal--.

Line 11, before "same" delete --the--.

Claim 25

Line 6, after "plurality of" add --radio--.

Art Unit: 2614

Line 8, after “service” add --, said memory having stored a plurality of geographic location coordinates and frequencies associated with said plurality of radio station identities--.

Line 10, before “same” delete --the--.

Claim 27

Line 3, after “therein” add --, said memory having stored a plurality of geographic location coordinates and frequencies associated with said plurality of radio station identities--.

Line 6, “the signal” was changed to --a signal--.

Line 10, before “same” delete --the--.

Reasons for Allowance

2. The following is an examiner’s statement of reasons for allowance:

Claims 1-6, 8-18, 20-23, 25, 27, 30 and 31 are allowed.

Regarding claims 1 and 13, the reference **Strauss** fails to teach storing frequencies associated with said plurality of radio station identities. **Strauss** teaches storing radio station frequencies associated with a plurality of radio station that broadcast programs (col.4, lines 37-65). However, there is no suggestion in **Strauss**’s invention to combine with any teaching of any other reference to teach storing frequencies associated with said plurality of radio station identities.

Regarding claims 25 and 27, the reference **Strauss** and Examiner’s newly discovered reference **Campanella** fail to teach storing frequencies associated with said plurality of radio station identities. **Strauss** teaches storing radio station frequencies associated with a plurality of

Art Unit: 2614

radio station that broadcast programs (col.4, lines 37-65). **Campanella** teaches programming program channels through subscription service (col.10, lines 28-34). However, there is no suggestion in **Strauss's** invention to combine with the teaching of **Campanella's** invention in order to store frequencies associated with said plurality of radio station identities.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S. Elahee whose telephone number is (571) 272-7536. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2614

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MD. Shafiqul Alam Elahie

MD SHAFIUL ALAM ELAHEE

Examiner

Art Unit 2614

December 5, 2007

JAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600